

JOURNAL OF THE HOUSE.

Thursday, June 24, 2004.

Met at six minutes after eleven o'clock A.M., in an Informal Session, with Mr. Golden of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God, Our Creator, the Ultimate Source of Forgiveness and Truth, we pause for moment of reflection and prayer. We recognize Your presence and ask for Your assistance as we carry out our responsibilities on this and every day. Your help enables us to focus our attention clearly on our legislative and personal priorities and to examine carefully and correctly the day's pressing, often sensitive issues. In these stressful times, we believe that by opening our hearts and minds to You we will enjoy peace of mind, personal happiness and human spiritual joy.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of
allegiance.

At the request of the Chair (Mr. Golden of Boston), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Richard W.
Golden.

Resolutions (filed by Mr. Eldridge of Acton) congratulating Richard W. Golden on receiving the Golden Fife Award;

Edward J.
Philbin.

Resolutions (filed by Mr. Naughton of Clinton) congratulating Edward J. Philbin for his dedicated service to the Clinton School Department;

Kendra M.
O'Toole.

Resolutions (filed by Mrs. Teahan of Whitman) honoring Kendra M. O'Toole; and

United
Transportation
Union.

Resolutions (filed by Representatives Walsh of Boston, Bradley of Hingham and Canavan of Brockton) on the occasion of the regional meeting of the United Transportation Union in Boston;

Mr. Miceli of Wilmington, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Rodrigues of Westport, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Bills

Biological
agent
registry.

Establishing a biological agent registry in the Commonwealth (Senate, No. 511, amended in section 2, in lines 26, 27 and 28, by striking out the sentence contained therein and inserting in place thereof the following sentence: "A person or facility that possesses,

maintains or stores any biological agents in the commonwealth shall file a report with the department of public health.", and in lines 89 and 90, by striking out the words "; the co-chairs of the joint committee on health care") (on a petition);

Relative to pilotage in Massachusetts (Senate, No. 2097) (on a petition);

Vessels,
pilot
services.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33D, to the committee on Homeland Security and Federal Affairs.

Bills

Providing for the transfer and preservation of certain interests in land held for natural resource purposes in the abolished counties (Senate, No. 146) (on a petition);

Abolished
counties,
land.

Relative to the disposition of museum property (Senate, No. 244) (on a petition);

Museum
property.

Further regulating the licensing of manufacturers of frozen desserts and frozen dessert mix (Senate, No. 586) (on a petition);

Frozen
desserts.

Requiring hospitals to report head and spinal cord injuries (Senate, No. 587, amended in line 4 by striking out the word "department", the second time it appears, and inserting in place thereof the word "division"; in line 12 by inserting after the word "codes." the following sentence: "For purposes of compiling this report, the department in conjunction with the division may review autopsy reports subject to section 2 of chapter 38."; in line 14 by inserting after the word "of" the word "traumatic") (on a petition);

Head
and spinal
injuries.

Relative to the licensing of milk pasteurization establishments (Senate, No. 596) (on a petition);

Pasteurization,
licenses.

Relative to the Forest Products Trust Fund (Senate, No. 2399) (on Senate bill, No. 1196);

Forest Products
Trust Fund.

Relative to the disposition of easements or other interests in land in Uxbridge under the care and control of the Department of Conservation and Recreation and the partial release of certain land in the town of Plymouth from the operation of two agricultural preservation restrictions (Senate, No. 2402) (on Senate bill, No. 2321);

Uxbridge
and
Plymouth,
land.

To reduce asthma rates and associated costs in the Commonwealth (Senate, No. 2403, amended in section 2, in line, by striking out the figure "6" and inserting in place thereof the figures "12") (on Senate bill, No. 535);

Asthma,
rates and
costs.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Authorizing self-monitoring and treatment of students with diabetes (Senate, No. 2231) (on Senate, No. 324);

Diabetic
students.

Further regulating meetings of municipal boards (Senate, No. 2247) (on a petition);

Municipal
boards.

Relative to rates for pilot services for vessels using the port of Boston (Senate, No. 2406) (on Senate bill, No. 2098);

Boston,
pilotage
rates.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Trade,
regulate.

A petition (accompanied by bill, Senate, No. 2110) of Pamela P. Resor and Geoffrey D. Hall for legislation to further regulate trade, came from the Senate with the endorsement that the petition had been referred to the committee on Natural Resources and Agriculture; and the House concurred in the reference.

Reports of Committees.

Somerville,
Draw 7
Park.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Timothy J. Toomey, Jr. that the Department of Conservation and Recreation be directed to dedicate a portion of Draw 7 Park in the city of Somerville in memory of Patrick L. Sullivan. Under suspension of the rules, on motion of Mr. Donato of Medford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration. Sent to the Senate for concurrence.

Charles L.
Byrne, Jr.

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill relative to pension benefits for Sergeant Charles L. Byrne, Jr. (House, No. 4722) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Donato of Medford, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Weston,
community
preservation
fund.

Report of the committee on Taxation, ought NOT to pass (under Joint Rule 10), on a message from His Excellency the Governor (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Weston to appropriate from the community preservation fund (accompanied by bill, House, No. 4687).

Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the report was considered forthwith.

Pending the question on acceptance of the report, the same member moved that it be amended by substitution of the Bill to authorize the town of Weston to appropriate from the community preservation fund (printed in House, No. 4687), which was read.

The amendment was adopted; and, under suspension of the rules, on further motion of Ms. Peisch, the substituted bill was read a second time forthwith; and it was ordered to a third reading.

Business
corporation
act.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill making changes to the Business Corporation

Act (House, No. 4833) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Walsh of Boston, for the committee on Homeland Security and Federal Affairs, that the Bill relating to oil spill prevention and response in Buzzards Bay and other harbors and bays in the Commonwealth (House, No. 4831) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Buzzards
Bay,
oil spill.

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill to fund a collective bargaining agreement for higher education employees at the University of Massachusetts (House, No. 4828). Read; and referred, under Rule 33, to the committee on Ways and Means.

University of
Massachusetts.

By Mr. Scaccia of Boston, for the committee on Rules, that the Bill relative to the registration of podiatrists (Senate, No. 671) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Podiatrists,
registration.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, No. 4809, a Bill authorizing the town of Hingham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4896) [Local Approval Received].

Hingham,
liquor
license.

By the same member, for the same committee, on House, No. 4811, a Bill authorizing the city of Salem to issue two additional licenses for the sale of wines and malt beverages (House, No. 4897) [Local Approval Received].

Salem,
liquor
license.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land to the town of Webster (see House, No. 4711, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed bills

Relative to retirees' group health insurance premium contributions in the city of Waltham (see Senate, No. 2001);

Bills
enacted.

Further regulating certain weapons (see Senate, No. 2367, amended);

(Which severally originated in the Senate);

Authorizing the town of Bellingham to establish certain revolving funds (see House, No. 4015);

Relative to a pension for a surviving spouse in the city of Springfield (see House, No. 4157); and

Authorizing the city of Lowell to pay an unpaid bill (see House, No. 4521);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Third
reading
bills.

Establishing uniform primary procedures for unenrolled voters (House, No. 2229);

Relative to the health and safety on public construction projects (House, No. 2367) (its title having been changed by the committee on Bills in the Third Reading);

Merging the Woodland Water District of Auburn with the Auburn Water District (House, No. 4333); and

Providing for abatement of taxes caused by a fire in the city of Peabody on December 18, 2003 (House, No. 4611);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Second
reading
bill.

The House Bill relative to housing (House, No. 1295) was read a second time; and it was ordered to a third reading.

Springfield,
financial
stability.

The House Bill to restore financial stability in the city of Springfield (printed in House, No. 4799) was read a second time.

Pending the question on ordering the bill to a third reading, Representatives Petrolati of Ludlow, Candaras of Wilbraham and Rivera of Springfield and other members of the House moved that it be amended by substitution of a Bill restoring financial stability in the city of Springfield (House, No. 4898), which was read.

The amendment was adopted; and the substituted bill was ordered to a third reading.

Under suspension of the rules, on motion of Ms. Candaras, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4898) then was sent to the Senate for concurrence.

Order.

On motion of Mr. Finneran of Boston,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

At twenty-nine minutes before one o'clock P.M., on motion of Mr. Smizik of Brookline (Mr. Golden of Boston being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.